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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

15 MAR 1993

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REPLY REFER TO:  
7330-7/1700A3

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MAR 24 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Honorable Fred Upton  
House of Representatives  
1713 Longworth Office Building  
Washington, D.C. 20515

Dear Congressman Upton:

This is in reply to your letter of February 16, 1993, in which you inquired on behalf of your constituent, Terry Rix, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Your constituent is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take your constituent's concerns into account when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Your constituent's letter will be included in the record of the proceeding. We expect final rules to be issued in 1994.

Sincerely,

*Edward R. Jacobs*

*JS*

Richard J. Shiben  
Chief, Land Mobile & Microwave Division  
Private Radio Bureau

Enclosures

cc:

CNTL NO - 9300881

Chief, PRBureau  
Chief, LM&M Divison  
Docket Files, Room 222  
P&P Branch File (Pink)

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# Congressional

DUE OBC : 3-8-93

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AND REPLY FOR DOCKET FILE, ROOM 222.

## CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/26/93

### LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300881	02/26/93	02/16/93	03/18/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Fred Upton	BC

CONSTITUENT'S NAME	SUBJECT
Terry Rix	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/LM 3-1-93			
DATE	DATE	DATE	DATE
02/26/93			

REMARKS: Contact person: Scott Aliferis, 225-3761.

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ENERGY AND COMMERCE COMMITTEE  
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SOCIAL SECURITY CAUCUS  
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GREAT LAKES CAUCUS  
JOAN HILLEBRANDS, STAFF DIRECTOR



**Congress of the United States**  
**House of Representatives**

FRED UPTON  
4TH DISTRICT, MICHIGAN  
February 16, 1993

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PRB  
92-235  
881

Federal Communications Commission  
Room 808  
1919 M Street, N.W.  
Washington, D.C. 20554

Dear Sir/Madam,

The enclosed is of concern to one of my constituents, Terry Rix of Kalamazoo, Michigan. I would appreciate it if you would read this letter carefully and respond to my constituent's concern. Please address your response to me at my Washington office.

Thank you very much for your attention to this matter. If I can provide any further information, please do not hesitate to contact Scott Aliferis of my staff at 225-3761. Until then, I remain

Very truly yours,

Fred Upton  
Member of Congress

FSU:sa  
Enclosure

February 2, 1993

The Honorable Frederick S. Upton  
House Office Building  
Washington, D.C. 20515

Dear Senator Riegle:

I am very active in our local radio-control model airplane club whose members enjoy constructing and operating R/C models. I personally own 3 radios, 5 R/C models and have a workshop full of other products necessary to maintain my models.

I am very concerned about the proposed rule that is currently under consideration by the Federal Communications Commission. The proceeding is PR Docket 92-235. If adapted the new rule will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

Our radio-control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio-control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The Notice of Proposed Rule Making (NPRM) in Docket 92-235 replaces Part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 Khz spacing between fixed commercial users on frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 MHz band and 10 of the 30 frequencies on the 75 MHz band now used by hobbyists. In fact, because of the frequency tolerances allowed on the proposed new channels, more channels will likely be affected.

Our club by-laws require a sizeable liability coverage. When we operate our R/C models, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. We lease land from the Kalamazoo County Parks Department. Our club operates in River Oaks Park. The Park maintains several soft ball diamonds, a boat ramp, swimming facilities and a large picnic area. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 foot and weigh as much as 20 to 40 pounds. The models

if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I don't think it is wise of the FCC to seek to expand the operation